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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Lee R. CARLSON et al.  
 Application No./Patent No.: 10/561,561 Filed/Issue Date: June 19, 2003 (Int'l)  
 Titled: BREATH END-TIDAL GAS MONITOR

Capnia, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ an assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

- Lee R. CARLSON; Edward A. MCCLATCHIE; Joe MARTINOSKY, Ralph WALDEN and Elvir CAUSEVIC
1. From: \_\_\_\_\_ To: Everest Biomedical Instruments Co.  
 The document was recorded in the United States Patent and Trademark Office at Reel 017941, Frame 0073, or for which a copy thereof is attached.
  2. From: Everest Biomedical Instruments Co. To: Stryker Corporation  
 The document was recorded in the United States Patent and Trademark Office at Reel 021469, Frame 0759, or for which a copy thereof is attached.
  3. From: Everest Biomedical Instruments Company and Stryker Corporation To: BioMedical Drug Development Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel 025356, Frame 0885, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet(s).

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Mika Mayer  
 Signature  
Mika Mayer (Reg. No. 47,777)  
 Printed or Typed Name

February 28, 2011  
 Date  
Attorney for Assignee  
 Title

Attorney Docket No.: 643132000200

**STATEMENT UNDER 37 CFR 3.73(b) - Supplemental Sheet**

Continuation of chain of title from the inventor(s) to the current assignee.

4. From: BioMedical Drug Development Inc. To: Capnia, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 025356 , Frame 0894 , or for which a copy thereof is attached.
5. From: \_\_\_\_\_ To: \_\_\_\_\_  
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Attorney Docket No.: 643132000200